

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
NORTHERN DIVISION**

**BRUNSON ROBERTS
ADC #127841**

PLAINTIFF

NO. 3:20-cv-00391-KGB-ERE

DEXTER PAYNE, *et al.*

DEFENDANTS

ORDER

On May 24, 2022, the Court held a hearing on two motions filed by Mr. Roberts: (1) motion to reconsider discovery rulings (*Doc. 123*); and (2) motion for order regarding medical release (*Doc. 124*). Mr. Roberts appeared by video. Defendants were represented by Mr. Caleb Conrad and Ms. Katherine Donovan.

1. Requests for Production

The Court revisited several discovery requests identified in Mr. Roberts' motion to reconsider. While many of the Defendants' responses were appropriate, the Court directed Defendants to provide the following to the Court for *in camera* review:

- (a) Complete copies of Incident Reports 2020-10-179 and 2020-10-181(Plaintiff's RFP No. 3).
- (b) Administrative Directive Employee Conduct and Standards/Guidelines for all ADC officials (Plaintiff's RFP No. 7).

In addition, Defendants will provide to Mr. Roberts a copy of the Substance Abuse Treatment Program Rule & Policy book for inmate participants, as requested in Plaintiff's Request for Production No. 6.

2. Medical Release

During the hearing, Defendants provided an authorization form seeking medical records between September 9, 2020 through December 31, 2020. The form is more limited in time and contains different language than the form Mr. Roberts objected to in his motion. Mr. Roberts acknowledged that he has a copy of the form. The Court approved the form and directed Mr. Roberts to return a signed copy to counsel for Defendants.¹

IT IS THEREFORE ORDERED THAT:

1. Mr. Roberts' motion for reconsideration of discovery rulings (*Doc. 123*) is GRANTED IN PART and DENIED IN PART. Within seven days of the date of this order, Defendants' counsel will provide the specified documents for the Court's *in camera* review. And the Court will determine which of these documents, if any, must be provided to Mr. Roberts.²

¹ Any sensitive medical information or private personal information should be filed under seal or redacted. See Fed. R. Civ. P. 5.2.

² As the Court discussed at the hearing, the Court will advise defense counsel which of these documents must be provided to Mr. Roberts.

2. Mr. Roberts' motion for order regarding medical release (*Doc. 124*) is GRANTED solely to the extent stated during the hearing. Mr. Roberts must return the approved medical release form records for the period September 9, 2020 through December 31, 2020 within seven days or risk dismissal of this lawsuit.

3. All discovery must be completed by June 20, 2022. All dispositive motions must be filed by July 20, 2022.

IT IS SO ORDERED this 24th day of May, 2022.


UNITED STATES MAGISTRATE JUDGE